IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.6647 of 2000

Umashankar R. Pandey Petitioner

Vs.

The Registrar of Companies & ors. Respondents

Mr.S.G.Deshmukh for petitioner.

Mr.Luckyraj Indorkar i/b M/s.Shaunak Satpure & Co.
for resp.no.2.

Ms.Rutuja Ambekar with Ms.Anamika Malhotra i/b M/s.
R.M. Pande & Co. for Resp.nos.4, 5, 7 and 8.

CORAM: B.H.MARLAPALLE & NARESH H.PATIL,JJ.

September 27, 2006.

P.C.

. Heard Mr.Deshmukh, the learned counsel for the petitioner and Ms.Rutuja Ambekar with Ms.Anamika Malhotra i/b. M/s.R.M. Pande & Co. for respondent nos.4, 5, 7 and 8.

. The petitioner claims that he submitted a representation on 20/12/1996 to the Registrar (Respondent no.1) alleging that a company by name Stallion Garments Ltd. registered on 26/4/1994 under Registration No.11-77992 came to be registered under misrepresentation and on the basis of the fabricated

documents submitted by the promoters of the said company. He further claims that though he did not sign any papers in respect of the said company, he was surprised to see that his name was shown as one of the Directors applying for registration of the said company. He, therefore, prays for deregistration of the company.

. The respondent no.1 has filed affidavit-in-reply and has contended that he does not have powers to deregister the company concerned and the petitioner may have an independent remedy before the competent authority. While repelling this submission Mr.Deshmukh, the learned counsel for the petitioner has invited our attention to the scheme of Section 234 of the Companies Act, 1956 which empowers the Registrar to undertake investigations.

. We, therefore, direct the respondent no.1 to cause an investigation into the representation dated 20/12/1996 submitted by the petitioner and submit his report preferably before 31st December 2006 to the competent authority for taking further appropriate action either for deregistration of the company or any other action that is permitted in law, if the

competent authority deems it appropriate to take such an action.

. The petition is, therefore, disposed off in terms of the above directions.

(NARESH H. PATIL,J.) (B.H.MARLAPALLE